

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARLENE LOCKWOOD-CORNO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No: 08-12120

Honorable David M. Lawson

Magistrate Judge Mona K. Majzoub

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING CASE**

Presently before the Court is the report and recommendation issued on July 22, 2009 by Magistrate Judge Mona Majzoub pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1. The plaintiff and defendant filed cross-motions for summary judgment in this social security case, and Magistrate Judge Majzoub recommended that this Court deny the plaintiff's motion, grant the defendant's motion, and affirm the finding of the Commissioner. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the Magistrate Judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 12] is **ADOPTED**.

It is further **ORDERED** that the plaintiff's motion for summary judgment [dkt #8] is

DENIED and the defendant's motion for summary judgment [dkt #11] is **GRANTED**.

It is further **ORDERED** that the case is remanded to the social security administration for further proceedings.

It is further **ORDERED** that the findings of the Commissioner are **AFFIRMED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 11, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 11, 2009.

s/Lisa M. Ware
LISA M. WARE